

**ENVIRONMENTAL PROTECTION
AGENCY
[FRL 456-6]
MISSOURI**

Marine Sanitation Standard

On May 15, 1975, notice was given that the State of Missouri had petitioned the Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels within the State of Missouri are reasonably available for the waters of the State, with the exception of those boats engaged in interstate commerce on the Missouri and Mississippi Rivers. The action was requested pursuant to section 312(f) (3) of Pub. L. 92-500 (40 FR 21004, May 15, 1975).

Petitions signed by 2,992 individuals were received in support of the State of Missouri's application; petitions signed by 2,864 individuals were received from the Lake of the Ozarks Yachting Association, the Boat Owners Association of the United States, Great Lakes Cruising Club, the Lauderdale Marina, Inc. of Fort Lauderdale, Florida and a private citizen.

Section 312(f) (3) of the Act states, "[A]fter the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such State require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for such waters to which such prohibition would apply."

Following an examination of the petition and the supporting information, and a consideration of all comments received pursuant to the May 15 FEDERAL REGISTER notice, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of the State of Missouri with the

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exception of the western portion of Bull Shoals Lake north from the Corps of Engineers location marker number 34, which is located near the Arkansas-Missouri State line, and the Missouri and Mississippi Rivers. This determination is made pursuant to section 312(f) (3) of Pub. L. 92-500.

The information submitted to me indicates that for the Lake of the Ozarks there are 10 pump-out facilities and that most of the cruiser traffic on the Lake is between Bagnal Dam and the 30-mile mark because navigation on the upper end of the Lake has the hazard of going aground on mudflats. It is reasonable to assume that pump-out facilities for designed to service the general boating public are not available in waters too hazardous for normal boating purposes. Thus, I have determined that pump-out facilities for the Lake of the Ozarks are reasonably available. Further, such information indicates that in Pomme de Terre Lake, the farthest distance one could operate a cruiser from a pump-out station would be approximately five miles. This lake has three such facilities. Stockton Lake has two pump-out stations; Tablerock has five pump-out stations and the information indicates that vessels with marine sanitation devices would be within 10 miles from such facilities on either lake. Norfolk and Clearwater Lakes have no pump-out facilities, but there are three boats equipped with portable potties that use on-shore toilet facilities for disposal.

The information that I have received indicates that the Missouri River has no pump-out facilities. Alton Pool, on the Mississippi River, has seven pump-out facilities, however, we have determined that the draught adjacent to the pump-out facility precludes commercial vessels from using those available. Since section 312(f) (3) of Pub. L. 92-500 mandates a determination that adequate facilities are available for all vessels to which any no-discharge prohibition would apply, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage are not reasonably available for the Missouri and Mississippi Rivers.

There appears to be eight vessels

equipped with marine sanitation devices moored in the Missouri portion of Bull Shoals Lake, whereas all pump-out facilities are located across the State boundary in the State of Arkansas. Two such vessels are moored a distance of six miles from the nearest pump-out facility; two of the vessels are moored at a distance of 12 miles from the nearest pump-out facility; and four of the vessels are moored a distance of 20 miles from the nearest pump-out facility. In my judgement, a pump-out facility located 20 miles from the mooring place of 50 percent of the vessels with marine sanitation devices for any lake does not represent reasonable availability of such facilities. Obviously, a definition of "reasonably available" could vary from one waterway to another and certainly it would be influenced momentarily through climatic and other factors. A Corps of Engineers 1973 map indicates marker number 34 as a logical place to determine the boundaries within which adequate facilities for safe and sanitary removal and treatment of sewage from all vessels are reasonably available for Bull Shoals Lake; the marker is within 10 miles of a pump-out station and separates an additional 10 miles of an arm of Bull Shoals Lake beyond this point. Vessels with marine sanitation devices using this arm may be as far as 20 miles from the nearest pump-out facility. Thus, I have determined that adequate facilities for safe and sanitary removal and treatment of sewage from all vessels are reasonably available for Bull Shoals Lake, with the exception of the western portion of said Lake, north from the Corps of Engineers location marker number 34, located near the Arkansas-Missouri State line.

Dated: November 18, 1975.

John Quarles,
Acting Administrator

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